

helpless. In many cases when the country is a signatory, justice is often difficult to obtain and comes at a very high price.

Our legal system makes decisions involving the custody of children based on what is in the best interests of the children. Once such arrangements are made, no one should ever be rewarded for the illegal abduction of a child from our country by being able to keep the child and thumb their noses at our authority.

This resolution sends a strong message of this country's support for the rights of our children.

Mr. LANTOS. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BEREUTER. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. MORELLA). The question is on the motion offered by the gentleman from Nebraska (Mr. BEREUTER) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 224.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

#### SENSE OF CONGRESS ON 50TH ANNIVERSARY OF SIGNING OF UNIVERSAL DECLARATION OF HUMAN RIGHTS

Mr. GILMAN. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H.Con.Res. 185) expressing the sense of the Congress on the occasion of the 50th anniversary of the signing of the Universal Declaration of Human Rights and recommitting the United States to the principles expressed in the Universal Declaration, as amended.

The Clerk read as follows:

H. CON. RES. 185

Whereas on December 10, 1948, the General Assembly of the United Nations proclaimed the Universal Declaration of Human Rights, after it was adopted by the General Assembly without a dissenting vote;

Whereas the Universal Declaration of Human Rights was modeled on the Bill of Rights of the United States Constitution and it was developed with strong United States leadership, and in particular the personal involvement of Mrs. Eleanor Roosevelt, who served as Chair of the United Nations Human Rights Commission;

Whereas the Universal Declaration of Human Rights sets forth fundamental human rights including the right to life, liberty, and security of person; freedom of religion; freedom of opinion and expression; freedom of assembly; self-government through free elections; freedom from slavery and torture; the right to a fair trial and to equality before the law; presumption of innocence until proved guilty; the right not to be subjected to retroactive laws; freedom of movement within one's state and freedom to leave or return to it; the right of asylum; the right to a nationality; the right to found a family; the right against arbitrary interference with privacy, family, home, or cor-

respondence; the right to own property; to social security and to work; the right to form and join trade unions; the right to an adequate standard of living, to education, and to rest and leisure; and the right to participation in the cultural life of the community;

Whereas the Universal Declaration of Human Rights has become the most widely accepted statement identifying human rights and is referred to in resolutions and covenants adopted by numerous international organizations, in multilateral and bilateral treaties, in national constitutions, and in local laws and decrees; and

Whereas the Universal Declaration of Human Rights, though it is not a treaty or a binding international agreement, it is "a common standard of achievement for all peoples and all nations"; Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That the Congress—*

(1) reaffirms the commitment of the United States to the fundamental human rights enunciated half a century ago in the Universal Declaration of Human Rights, which are a reflection of the fundamental civil and human rights that are enshrined in the Declaration of Independence and in the United States Constitution, and in particular in the Bill of Rights;

(2) expresses the determination to work for the implementation of and observance of international human rights and international human rights agreements; and

(3) urges the government leaders of all nations, representatives of private international human rights organizations, business and labor leaders, local government officials, and all Americans to use the Universal Declaration of Human Rights as an instrument to promote tolerance, understanding, and greater respect for human rights.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. GILMAN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. GILMAN).

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this measure as well as on H. Con. Res. 304 and H. Con. Res. 254 previously considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILMAN. Madam Speaker, I yield myself such time as I may consume.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Madam Speaker, I commend the chairman of the Subcommittee on International Operations and Human Rights the gentleman from New Jersey (Mr. SMITH) and the ranking minority member the gentleman from California (Mr. LANTOS) for their timely initiative, and I commend the gentleman from California for crafting H. Con. Res. 185.

H. Con. Res. 185 expresses the sense of the Congress on the occasion of the 50th anniversary of the signing of the Universal Declaration of Human Rights

and recommitts our Nation to the principles expressed therein.

On December 20, 1948, the General Assembly of the U.N. proclaimed the Universal Declaration of Human Rights after it was adopted by the General Assembly without one dissenting vote. H. Con. Res. 185 summarizes the Universal Declaration of Human Rights and reaffirms our Nation's commitment to that declaration.

We take for granted so many freedoms that we have in our country. The gentleman's resolution makes us aware of their preciousness and reaffirms our commitment to their protection and role in our society and the world community.

Accordingly, I strongly support H. Con. Res. 185, and I urge my colleagues to support this resolution.

Madam Speaker, I reserve the balance of my time.

Mr. LANTOS. Madam Speaker, I yield myself such time as I may consume. Let me first thank my friend the distinguished chairman of the Committee on International Relations for his comments. Let me also thank my good friend and distinguished gentleman from Illinois (Mr. PORTER), cochair of the Congressional Human Rights Caucus who joined me as the principal Republican cosponsor of this bill. I also want to thank my good friend the gentleman from New Jersey (Mr. SMITH) the distinguished chairman of the House International Relations Subcommittee on International Operations and Human Rights for his strong leadership on this issue. There are in fact scores of colleagues across the political spectrum who joined us in introducing this resolution.

Fifty years is a long time, Madam Speaker, and it is most appropriate for us to recommit ourselves and this body and our Nation to this vital document. The Universal Declaration of Human Rights is one of the most monumental events in the history of human rights. It is the accepted international definition of human rights, and the declaration continues to serve as the basis for subsequent international human rights law and treaties. And it is the critical starting point for future international agreements on human rights.

Now, I am not naive, Madam Speaker, and I understand that in scores of countries, this Universal Declaration of Human Rights is not observed. But that painful fact makes it all the more important that we recommit ourselves in a solemn way to the principles embodied in this document.

The drafters of the Universal Declaration were not concerned with inventing new political concepts and rights which would be granted or extended to people around the world; but, rather, they were concerned with defining the fundamental rights that are at the root of our human nature, rights that are the essence of our humanity. The purpose of the Universal Declaration was to enumerate these rights and

to establish the standards that all nations should observe.

The nations which founded the United Nations at the San Francisco Conference in 1945, the city I have the honor to represent in this body with my friend the gentlewoman from California (Ms. PELOSI), came to the conclusion that new tools and international mechanisms are needed to protect the basic rights of all human beings. They directly responded to the atrocities of World War II committed by Nazi Germany and others where fundamental rights were violated in an unprecedented and systematic attack which produced inconceivable levels of human suffering.

In 1946, Madam Speaker, the United Nations established the Commission on Human Rights, the principal decision-making body charged with the global defense of human rights. The first Chair of the Human Rights Commission was Mrs. Eleanor Roosevelt, the widow of President Franklin Delano Roosevelt. Under her inspired leadership, this Commission took it upon itself to develop a comprehensive and universal catalogue of human rights definitions, which could serve as the basis for future legal codifications in the defense of human rights.

After almost 1,400 rounds of voting on practically every word in the draft declaration, the General Assembly unanimously adopted the Universal Declaration of Human Rights on December 10, 1948, in Paris at the Palais de Chaillot. Hence, we annually celebrate December 10 as International Human Rights Day. Subsequently some 60 human rights treaties and declarations were negotiated at the United Nations on the basis of the Universal Declaration.

Unfortunately, Madam Speaker, many of the rights enunciated in the Universal Declaration are under attack across the globe. I urge my colleagues to join me and continue our fight for all human rights for all human beings, even if that means from time to time making some unpopular decisions. As the sole remaining superpower, we have a special global obligation to the poor, to the tortured, to the prosecuted, to the persecuted, to the refugees and the voiceless. Anything less than full commitment to these human rights would be a betrayal of our own convictions and beliefs as a Nation and to our responsibilities spelled out in our Constitution and the Bill of Rights.

I urge all of my colleagues to support this resolution.

Madam Speaker, I reserve the balance of my time.

Mr. GILMAN. Madam Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. SMITH).

(Mr. SMITH of New Jersey asked and was given permission to revise and extend his remarks.)

Mr. SMITH of New Jersey. Madam Speaker, first of all I want to thank and congratulate the gentleman from California (Mr. LANTOS) for introducing

H. Con. Res. 185 to commemorate the 50th anniversary of the Universal Declaration of Human Rights, a magnificent document. I am very proud to be one of the cosponsors of the resolution. I do hope it will get the full support of our colleagues today.

□ 1415

Madam Speaker, I believe that rights come from God, not from governments, not from international organizations. Nevertheless, it was a great step forward when, without a dissenting vote, the United Nations General Assembly recognized the existence of the rights to life, liberty, freedom of religion and expression, self-government through elections, and other important rights that are inherent in our nature as human beings and children of God.

I am very proud to join my colleague, the gentleman from California (Mr. LANTOS), and I want to thank him again for bringing this important resolution before the body today.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I applaud this measure. It is imperative that we, as Representatives of the United States of America, continue to support the Universal Declaration of Human Rights. The vital declaration ensures global preservation of the most basic human liberties.

Nadezhda Mandelstam once wrote that one must scream to the world to assert one's right to live and "send a message to the outside world demanding help and calling for resistance." Silence, in turn, is the "real crime against humanity."

It is clear that we must proclaim loudly that we are still demanding help and calling for resistance against human rights throughout the world. The Universal Declaration of Human Rights represents such a voice because it creates a standard of human rights that all the world's nations must uphold.

As a cornerstone of international customary law, the Declaration paved the way for legally binding treaties such as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social, and Cultural Rights. Together, these documents form the "International Bill of Rights."

The Universal Declaration of Human Rights also serves as a model for national constitutions, laws, and policies. Since 1948, over 90 national constitutions can be traced to the Declaration.

We must continue to vocally support this Declaration. Our silence would only result in a regression of the work done on behalf of this document. Instead, we must scream to the world that we will not tolerate human rights abuses.

Mr. LANTOS. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GILMAN. Madam Speaker, I have no further requests for time, and I yield back the balance of the time.

The SPEAKER pro tempore (Mrs. MORELLA). The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 185, as amended.

The question was taken.

Mr. LANTOS. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

## TORTURE VICTIMS RELIEF ACT OF 1998

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4309) to provide a comprehensive program of support for victims of torture, as amended.

The Clerk read as follows:

H.R. 4309

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Torture Victims Relief Act of 1998".*

### SEC. 2. FINDINGS.

*Congress makes the following findings:*

(1) *The American people abhor torture by any government or person. The existence of torture creates a climate of fear and international insecurity that affects all people.*

(2) *Torture is the deliberate mental and physical damage caused by governments to individuals to destroy individual personality and terrorize society. The effects of torture are long term. Those effects can last a lifetime for the survivors and affect future generations.*

(3) *By eliminating the leadership of their opposition and frightening the general public, repressive governments often use torture as a weapon against democracy.*

(4) *Torture survivors remain under physical and psychological threats, especially in communities where the perpetrators are not brought to justice. In many nations, even those who treat torture survivors are threatened with reprisals, including torture, for carrying out their ethical duty to provide care. Both the survivors of torture and their treatment providers should be accorded protection from further repression.*

(5) *A significant number of refugees and asylees entering the United States have been victims of torture. Those claiming asylum deserve prompt consideration of their applications for political asylum to minimize their insecurity and sense of danger. Many torture survivors now live in the United States. They should be provided with the rehabilitation services which would enable them to become productive members of our communities.*

(6) *The development of a treatment movement for torture survivors has created new opportunities for action by the United States and other nations to oppose state-sponsored and other acts of torture.*

(7) *There is a need for a comprehensive strategy to protect and support torture victims and their treatment providers, together with overall efforts to eliminate torture.*

(8) *By acting to heal the survivors of torture and protect their families, the United States can help to heal the effects of torture and prevent its use around the world.*

### SEC. 3. DEFINITION.

*As used in this Act, the term "torture" has the meaning given the term in section 2340(1) of title 18, United States Code, and includes the use of rape and other forms of sexual violence by a person acting under the color of law upon another person under his custody or physical control.*

### SEC. 4. FOREIGN TREATMENT CENTERS.

(a) *AMENDMENTS TO THE FOREIGN ASSISTANCE ACT OF 1961.—Part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by*